

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

DAVID DAFNEY, #198771,	)	
	)	
Petitioner,	)	
	)	
v.	)	CIVIL ACTION NO. 3:09cv433-TMH
	)	
WARDEN J.C. GILES, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**ORDER**

On April 19, 2010, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, which Recommendation is hereby adopted, it is

ORDERED and ADJUDGED that the instant § 2254 petition for habeas corpus relief be and is hereby DENIED and this case be and is hereby DISMISSED with prejudice as time-barred. It is further

ORDERED that costs be and are hereby taxed against the petitioner.

Done this the 13th day of May 2010

/s/ Truman M. Hobbs

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TRUMAN H. HOBBS  
SENIOR UNITED STATES DISTRICT JUDGE